

**AFFIDAVIT OF SPECIAL AGENT JOHN BARRON IN SUPPORT OF
AN APPLICATION FOR A SEARCH WARRANT**

I, John Barron, Special Agent of the United States Drug Enforcement Administration (hereinafter "DEA") being duly sworn, depose and state, as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I, John Barron, am an "investigator and law enforcement officer of the United States," empowered by law to conduct investigations and make arrests for offenses enumerated in The Controlled Substances Act of Title 21, United States Code, as well as offenses within the meaning of Title 18, United States Code, Section 2510(7) (hereinafter 18 U.S.C. § 2510(7)). I am also empowered, by law, to conduct investigations and make arrests for offenses enumerated in 18 U.S.C. § 2516.

2. I am a Special Agent (SA) of the Drug Enforcement Administration (DEA), United States Department of Justice, where I am responsible for investigations focusing on the importation and distribution of illegal narcotics. I have been employed by the DEA since July of 1999 and am currently assigned to the Springfield Resident Office (SRO). Prior to my employment with the DEA, I was employed as a United States Border Patrol Agent with the Immigration and Naturalization Service in San Diego, California, for approximately three years.

3. I have participated in numerous investigations of complex drug conspiracies and all stages of illegal narcotics distribution, in violation of 21 U.S.C. §§ 841(a)(1), 843(b), 846, 848, 952(a), and 963. I have been the affiant on several Title III warrant applications, which have led to the interception of wire and electronic communications and the arrest and conviction of numerous individuals in both the federal and state court systems. I have also been the affiant on numerous search warrant affidavits in both the state and federal court systems. Many of these

search warrants have resulted in the seizure of significant quantities of illegal narcotics, United States currency, firearms, related paraphernalia, packaging, and manufacturing equipment used in the drug trade.

4. I am currently assigned to the DEA, New England Field Division, Springfield Resident Office (hereinafter "SRO"). The SRO is comprised of Agents of the DEA, and Agent of the Department of Homeland Security (DHS) and police detectives from Holyoke, Springfield, Chicopee and West Springfield, Massachusetts and the Massachusetts State Police. This group of law enforcement officers are tasked together to investigate and assist in prosecuting drug offenses. The SRO also receives assistance from other federal, state and local agencies on a case specific basis, in particular, the DHS and FBI Gang Task Force.

5. I have participated personally in the investigation of the subjects named in this affidavit. I am familiar with the facts and circumstances of this investigation based on information I have received from a variety of sources. The current investigation has made use of various investigative tactics, including:

- a. Court-authorized interception of wire and electronic communications occurring over the cellular telephones of Alberto MARTE and Jiovanni RODRIGUEZ;
- b. Telephone toll records;
- c. Seizures of narcotics and proceeds from the sale thereof;
- d. Monitoring of GPS location devices;
- e. Physical surveillance of the SUBJECTS, their vehicles and their residences and places of business;
- f. Conversations with law enforcement officers and confidential sources, public records and telephone toll records.

6. This investigation has shown that Alberto MARTE, "Morenito," Giovanni RODRIGUEZ, Juan PEREZ, "Nano," Marcos PENA, Carlos RIVERA, Julian DECLET, William BRANTLEY, Anthony PATINO, Pablo ROSARIO Mirelvy VASQUEZ and others, are distributing large amounts of heroin in the Springfield area.

PURPOSE OF APPLICATION

7. I submit this Affidavit in support of an application of a complaint charging Alberto Marte ("MARTE"), Marcos PENA ("PENA"), Jose Miguel Ramos, aka "Morenito," ("MORENITO"), Juan Perez ("PEREZ"), Giovanni Rodriguez ("RODRIGUEZ"), Carlos Rivera ("RIVERA"), Julian Declet ("DECLET"), William Brantley ("BRANTLEY"), Diolfi Antonio Marte Vasquez, aka "Nano," ("NANO") Mirelvy Vasquez ("VASQUEZ"), Anyuly Tavez ("TAVAREZ") Anthony Patino ("PATINO"), Pablo Rosario ("ROSARIO") and Eduardo Fernandez ("FERNDANDEZ") with conspiracy to possess with intent to distribute and to distribute more than one kilogram of heroin in violation of 21 U.S.C. § 846.

8. This affidavit is based on my personal knowledge and information provided to me by other federal, state, and local law enforcement officers. This affidavit is not intended to set forth all the information that I and other law enforcement personnel have learned during this investigation, but is submitted solely to provide probable cause in support of the complaint. :

FACTUAL BACKGROUND

9. In early January of 2016, the SRO initiated an investigation targeting the Alberto MARTE Drug Trafficking Organization (MARTE DTO). This investigation ultimately led to the application for and granting of several Title III wiretaps of cellular telephones used by Alberto MARTE. On April 15, 2016, the Honorable Mark G. Mastroianni authorized the first of these

interceptions of communications. Agents of the SRO began intercepting communications occurring over MARTE's telephone on April 26, 2016. The interception of communications over this telephone, along with those intercepted pursuant to subsequent court authorization, have revealed that MARTE and the other TARGET SUBJECTS distribute large quantities of bagged and gram weight heroin in the Springfield, MA area.

10. Our investigation has revealed, through physical surveillance, the analysis of thousands of court-authorized telephone calls intercepted over the Alberto MARTE and Giovanni RODRIGUEZ cellular telephones, public database checks and conversations with other law enforcement officers locally, in New York and in the Dominican Republic; the TARGET SUBJECTS listed above are involved in the importation, manufacturing and distribution of large quantities of heroin. Our investigation has shown Alberto MARTE, the leader of this drug trafficking organization (DTO), has sources of supply in the Dominican Republic and New York who provide him with kilogram and multi-kilogram quantities of heroin which are then transported to western Massachusetts, milled and distributed by the TARGET SUBJECTS. Our investigation has also shown that MARTE is responsible for distributing heroin labelled with a "Hollywood" stamp. This brand of heroin has been connected to numerous fatal overdoses in the New England area that occurred in late 2015 and early 2016.

THE CURRENT INVESTIGATION

MARTE picks up heroin at 152 Lebanon Street and brings it to 97-99 Massachusetts Avenue

11. On May, 23, 2016, at approximately 11:30am, surveillance was established 75 Tyler St, Springfield, MA and 97-99 Massachusetts Ave, Springfield, MA in response to a telephone call intercepted between Pablo ROSARIO and MARTE. MARTE told ROSARIO that

MARTE had recently awoken and that he is going to go "there now." MARTE then asked ROSARIO "How much did it turn to?" and ROSARIO responded "six-one." MARTE replied "Alright!" Based on my training and experience and what I have learned during the course of this investigation, I believe that when MARTE asked, "How much did it turn to" he actually asked ROSARIO how many packs of heroin were yielded from an unknown amount of powder heroin. I further believe that MARTE was going "there" to pick up ROSARIO and to get the "six-one," which I believe, based upon my training, experience and my knowledge of this investigation and ROSARIO's role in the DTO to be 61 packs of heroin.

12. At approximately 12:35pm, SA Scott Smith observed MARTE exit the back door of 75 Tyler Street, Springfield, MA, leave in a Nissan Rogue and drive directly to 152 Lebanon Street, Springfield, MA where he was observed walking towards the rear door of the residence. At approximately 1:22pm, TFO Muldoon observed the Nissan Rogue back out of the driveway of 152 Lebanon Street, Springfield, MA with MARTE driving and ROSARIO in the passenger seat. THE NISSAN ROGUE was followed to 97-99 Massachusetts Avenue, Springfield, MA, where it pulled to the rear of the driveway. Based upon the intercepted telephone calls and our physical surveillance, I believe MARTE and ROSARIO brought 61 packs of heroin to 97-99 Massachusetts Avenue, Springfield, MA that morning.

13. At approximately 1:36pm, SA McGrath observed the Nissan Rogue back out of the driveway at 97-99 Massachusetts Avenue, Springfield, MA occupied by MARTE and ROSARIO. At that time, SA Smith also observed that MARTE was on the telephone. Simultaneously, MARTE was intercepted speaking to Julien DECLET, who told MARTE that there were "three packages" here and MARTE responded, "All right, I'll go over to pick them up." Based upon our knowledge of DECLET's role the MARTE DTO, surveillance agents relocated to "AJ Buy and Sell," located

at 895 Carew St, Springfield, MA. At approximately 1:47pm, SA Gazzaniga observed the Nissan Rogue parked on Newbury Street behind AJ Buy and Sell. Approximately three minutes later, SA Gazzaniga observed MARTE at the rear of the Nissan Rogue putting a large box into the back of the vehicle. MARTE then entered the Nissan Rogue and left the area toward Carew Street. The Nissan Rogue was followed and was observed turning onto Langdon Street where it was temporarily out of sight.

14. Approximately two minutes later, TFA Muldoon observed the Nissan Rogue parked in the driveway of 11 Wait St, Springfield, MA. At approximately 2:16pm I observed THE NISSAN ROGUE exit the driveway of 11 Wait Street, Springfield, MA and surveillance was terminated. 11 Wait Street, Springfield, MA is known to be the residence of "Nano" (FNU LNU). "Nano" is known to be a bagger/transporter in the MARTE DTO and has been observed on numerous occasions with MARTE and the TARGET SUBJECTS. "Nano" is known to be a trusted member of the MARTE DTO as he has been observed traveling to New York with the TARGET SUBJECTS at times which, per intercepted calls, corresponded to them picking up quantities of narcotics or delivering money. MARTE has also been observed picking "Nano" up at 11 Wait Street, Springfield, MA on several occasions and then bringing him to 75 Tyler Street or 152 Lebanon Street in furtherance of narcotics trafficking activities. "Nano" is believed to be the husband or boyfriend of Dioxsars MARTE, who I believe to be of some relation to Alberto MARTE and the cousin of Pablo ROSARIO.

15. Based upon the intercepted call between MARTE and DECLET, our observations of MARTE leaving the area of 895 Carew Street, Springfield, MA with a large package and driving to 11 Wait Street, Springfield, MA, I believe that MARTE delivered "Nano" a "package" containing either packaging materials (baggies/stamps etc.) or possibly narcotics which were

shipped to DECLET at 895 Carew St, Springfield, MA, via mail. I believe MARTE then delivered this package to 11 Wait Street, Springfield, MA that afternoon.

Agents Observe an Apparent Narcotics Transaction at 18 Chester Street

16. On May 25, 2016, at approximately 6:25pm, we intercepted a call over the Giovanni RODRIGUEZ cellular telephone to an individual referred to as "Willie" at telephone number 413-331-8360. During this call, RODRIGUEZ asked "Willie," "Are you coming here? Don't come late!" Willie then responded "I'll call you when I go down there. I'm with my girlfriend now, and I want 25." RODRIGUEZ then asked "Willie" what time he is coming and Willie responded "I'll arrive in an hour and a half." RODRIGUEZ then asked "Willie" if he was coming "here" and "Willie" replied "Yes." At approximately 8:41pm, RODRIGUEZ received an incoming call from "Willie" who stated, "I'll be there in 25 minutes." RODRIGUEZ then stated "there are 35 dollars" and "Willie" asked RODRIGUEZ if it is "at his house." RODRIGUEZ said "Yes." Based on these calls, I established surveillance in the area of 18 Chester St, Springfield, MA. When I arrived at that address, I observed RODRIGUEZ's red Ford F-150 parked in front of the house and RODRIGUEZ standing on the front porch of 18 Chester Street, Springfield, MA.

17. At approximately 8:48pm, "Willie" called RODRIGUEZ and stated, "I'll be there in 6 minutes." RODRIGUEZ told "Willie" "Alright! Go in the back. I'm here." Shortly thereafter, I observed a male, later identified as GUZMAN-SANCHEZ ("Willie"), walk down the driveway and to the rear of 18 Chester Street, Springfield, MA. Approximately 8 to 10 minutes later, I observed GUZMAN-SANCHEZ walk from the driveway of 18 Chester Street, Springfield, MA to a gray Honda and then enter it through the front passenger door. I followed this vehicle from

the area and observed it to be driven by a female with blonde hair. I continued to follow the vehicle to the area of Route 91 north and 291 then discontinued surveillance so as not to be detected.

18. Based upon the intercepted calls and my observations that evening, I believe GUZMAN-SANCHEZ, who has an extensive criminal history that includes convictions for heroin distribution, traveled to 18 Chester Street, Springfield, MA in order to purchase either 25 or 35 packs of heroin from RODRIGUEZ. I further believe, based upon the intercepted calls and my observations that evening, RODRIGUEZ was arranging for this transaction to take place, via cellular telephone, while he was present at his 18 Chester Street, Springfield, MA residence.

PEREZ delivers money to MARTE at 75 Tyler Street

19. On May 26, 2016 at approximately 2:05pm, we intercepted a call between Juan PEREZ and MARTE during which PEREZ stated, "We're coming over to bring you the bread." Based upon this call, surveillance was established at 75 Tyler St, Springfield, MA. At approximately 2:50pm, PEREZ's silver Honda Accord was observed parking in front of 75 Tyler Street, Springfield, MA and two males exited and then entered the rear door of the residence. At approximately 3:47pm both males exited the back door of the residence and walked to the Honda Accord. I observed PEREZ as the driver of the vehicle and observed the passenger to be "Nano." Based upon our investigation to date, we know that PEREZ is residing at 28 Governor Street, Springfield, MA and "Nano" is residing at 11 Wait Street, Springfield, MA. I believe, based upon the intercepted call and our physical surveillance, that PEREZ and "Nano" delivered an unknown amount of United States Currency derived from the sale of illicit narcotics to MARTE at his 75 Tyler Street, Springfield, MA residence.

***MARTE and "Morenito" Remove a Substantial Amount of Packaging Material from
152 Lebanon Street***

20. On June 3, 2016, at approximately 11:05am, agents established surveillance at 75 Tyler Street and 152 Lebanon Street, Springfield, MA in anticipation of Alberto MARTE picking up "Morenito" and going to the mall to correct an issue with a telephone. At approximately 11:36am, Resident Agent in Charge (RAC) Benson and TFA Muldoon observed MARTE exit his residence empty-handed, enter his Toyota Tundra and back the vehicle from the street into the driveway. MARTE then waited in the vehicle for several minutes and drove directly to 152 Lebanon Street where I observed him backing into the driveway. Approximately 15 minutes later, I observed MARTE and "Morenito" enter the vehicle and leave the area. At this point, I could see only the cab area of the vehicle because the truck was backed too far into the driveway.

21. The Tundra was followed directly to the corner of St. James Avenue and Bay Street in Springfield, MA where agents observed it back up toward dumpsters that are in the rear of the Boost Mobile Store at that address. At this point TFA Ferris observed both men exit the vehicle and remove dark green trash bags from the bed of the Tundra and put them into the dumpster. MARTE and "Morenito" then re-entered the Tundra and left the area. Once the Tundra was out of sight, I immediately pulled to the rear of the store and retrieved one of the green trash bags from the dumpster. (The dumpster was nearly empty and, at that moment, I could reach only one bag of the five total in the dumpster). I then re-joined the surveillance of MARTE.

22. The Tundra was followed directly to the Holyoke Mall where agents observed MARTE and "Morenito" exit the vehicle and proceed to the Apple Store located inside the mall. At that time, RAC Benson and TFA Muldoon followed the two men into the mall and RAC Benson was able to take photographs of both men. After photographing MARTE and "Morenito" the surveillance was terminated.

23. I then met with RAC Benson and TFA Muldoon in a side lot of the mall and opened the trash bag retrieved from the dumpster. We immediately observed a very large quantity of materials which, based on our training and experience, knew to be heroin packaging materials commonly associated with a heroin mill. The bag was then re-tied and it was decided to obtain the other bags that MARTE and "Morenito" threw into the dumpster.

24. TFA Muldoon, RAC Benson and I then returned to the dumpster behind the Boost store and, using a long crow bar, retrieved two more trash bags from the dumpster.¹ We then transported the three bags to a secure facility and examined their contents.

25. Based upon a systematic search of the recovered trash bags, which were photographed and labeled, evidence of a large scale heroin mill was recovered. This evidence included several glassine baggies marked "Donald Trump," several vacuum seal type bags containing residue which had the odor and appearance of heroin and marked with numbers on them, tens of small cardboard boxes each which would contain 500 to 1000 glassine baggies, hundreds of elastics, tens of roles of empty scotch tape, drug ledgers and other packaging paraphernalia. Based upon my training and experience and what I have learned during this investigation, I believe these packaging materials at one time contained the equivalent of tens of thousands of dosage units of heroin and that these materials are being utilized in the "milling" process occurring at the MARTE DTO stash/mill house located at 152 Lebanon Street, Springfield, MA.

¹ There were two other green trash bags which agents left in the dumpster because they were clearly of a different color green and had red draw strings, unlike the three seized.

***Connecticut State Police Seize \$50,000 which was Provided by MARTE and
"Morenito" at 75 Tyler Street***

26. On June 9, 2016, at approximately 9:12am, agents monitoring Alberto MARTE's telephone intercepted a call between MARTE and a male (later identified as Marvin ORTEGA). The two men spoke briefly, however, most of the call was unintelligible due to the poor quality of the interception. Approximately five minutes later, MARTE telephoned "Morenito" and stated "The man is here because I need you to U/I." Based upon these calls, surveillance was established in the area of 152 Lebanon Street, Springfield, MA. Upon arriving at the residence, agents observed MARTE's Honda Accord parked in the street in front of the residence and a green Infiniti SUV, with New York license plates, in the driveway.

27. Approximately 45 minutes later, MARTE left the residence, entered the Honda and drove from the area. At approximately 11:20am, we intercepted another call between MARTE and ORTEGA in which MARTE stated, "Dude, you can pass by now because everything is ready. By my house." ORTEGA agreed to do so. Approximately three minutes after this call, the green Infiniti was observed backing from the driveway of 152 Lebanon Street and driving directly to MARTE's residence at 75 Tyler Street, Springfield, MA. I then observed ORTEGA exit the driver's side of the vehicle and "Morenito" exit the passenger side. Both men then walked down the driveway of 75 Tyler Street and out of sight. At that time agents observed that the gray Honda Accord, known to be owned and frequently operated by Juan PEREZ, was also in the driveway of the residence.

28. Approximately ten minutes later, SA McGrath and I observed "Morenito" walk out of the driveway of the residence carrying a white plastic bag in his right hand. "Morenito" then opened the passenger door, placed the bag in the Infiniti and walked back toward the residence. At that time, SA McGrath and I observed ORTEGA walk from the driveway of the residence.

ORTEGA then entered the Infiniti, sat in the vehicle for several seconds, and pulled away from the area. I then observed the gray Honda Accord back out of the driveway and leave the area. I was able to verify PEREZ was the driver of the vehicle as PEREZ stopped at the intersection of Tyler Street and Hancock Street. Surveillance of PEREZ was terminated at that time.

29. Agents followed ORTEGA directly to Interstate 91 South and into Connecticut where the Connecticut State Police (CSP) stopped the vehicle for exceeding the speed limit in the area of exit 33. Members of the CSP issued ORTEGA a verbal warning for speeding and insurance violations. During their inquiry, ORTEGA offered conflicting statements as to his travel and his responses to officer's questions were evasive. ORTEGA did, however, consent to a search of his vehicle. During their search, CSP officers observed indicators in the vehicle which, in their training and experience as interdiction officers, led them to believe there was an electronic hidden compartment in the vehicle. Based upon these observations, CSP officers detained the Infiniti pending obtaining a search warrant for the vehicle. ORTEGA was given a ride to a Dunkin Donuts where he was allowed to leave.

30. While the consent search of the vehicle was being conducted, RAC Joseph Benson observed a telephone mounted in a holder on the dashboard of the vehicle which appeared ORTEGA was using as a GPS. With RAC Benson sitting in the vehicle, looking at the phone, I then dialed 347-398-7647, the number from which ORTEGA called MARTE earlier in the day, from a blocked number. Within seconds, RAC Benson observed the telephone light up with an incoming call from a blocked number verifying that this was the telephone ORTEGA used to contact MARTE in the calls detailed above.

31. At approximately 5:30pm, CSP Officers obtained and executed a search warrant authorizing a search of the Infiniti. During a thorough search of the vehicle, officers located an

elaborate, electronically operated compartment in the vehicle which could be accessed under the front passenger seat and extended to the rear seat area of the vehicle. Upon removing the passenger seat to access this compartment, officers located a white plastic bag which contained approximately \$50,000.00. The white plastic bag appeared to be the same bag that "Morenito" placed in the Infiniti at 75 Tyler Street, Springfield, MA. The currency and the vehicle were seized and processed according to CSP policies and procedures and remain in the custody of the Connecticut State Police until they can be turned over to the Springfield Office of the DEA for federal forfeiture. It should be noted that during the search of the vehicle, Agents were intercepting calls between MARTE and Anthony PATINO, who arrived at the scene to pick-up ORTEGA. During these intercepted calls, PATINO, who resides at 99 Massachusetts Avenue, Springfield, MA gave MARTE in-depth descriptions of what was taking place during the execution of the search warrant.

32. I believe, based upon the intercepted calls and the physical surveillance of MARTE, "Morenito," ORTEGA and PEREZ that morning, that ORTEGA delivered heroin to 152 Lebanon Street, Springfield, MA from New York and then drove to 75 Tyler Street, Springfield, MA in order to obtain payment for it. I further believe that ORTEGA then planned to return to New York with the payment. I believe that PEREZ's presence at 75 Tyler Street, Springfield, MA at that time indicates that PEREZ is one of the few members of the MARTE DTO who MARTE trusts enough to allow him to participate in a transaction that occurred at MARTE's home and which involves such a large quantity of currency. I further believe that when PEREZ left 75 Tyler Street, Springfield, MA, he also was transporting money to be delivered to New York. Based on my training and experience, it is common for a narcotics trafficker to split loads of currency in this manner order to minimize the impact of a seizure of one of the vehicles, such as occurred on this

date. In an intercepted conversation with BRANTLEY a few days after the seizure, MARTE told BRANTLEY that "they" (the police) took the money which BRANTLEY had given to MARTE.

MARTE leaves 75 Tyler Street and Delivers Heroin to RODRIGUEZ at 18 Chester Street

33. On June 20, 2016 at approximately 2:30pm, agents intercepted a call between MARTE and Giovanni RODRIGUEZ which indicated MARTE was going to meet RODRIGUEZ in order to drop off an undetermined amount of heroin. In the initial call, MARTE told RODRIGUEZ, "They sent you something with me" and shortly thereafter, "I have it here with me to give to you." After a brief, "coded" conversation about what was sent, RODRIGUEZ replied, "I'm here lying down, stop by in a little while." Upon intercepting this call, SRO agents and task force officers (TFOs), as well as the Massachusetts State Police (MSP) Air-wing established surveillance on MARTE at 75 Tyler Street, Springfield, MA.

34. At approximately 3:35pm, TFA's Kenneth Ferris and Jessie McKnight observed MARTE exit the front door of his residence and enter THE NISSAN ROGUE. MARTE was observed wearing a black short sleeve t-shirt and black pants. MSP Air-wing Unit followed MARTE directly from his 75 Tyler Street, Springfield, MA residence to 18 Chester Street, Springfield, MA.

35. At approximately 3:44pm, MARTE called RODRIGUEZ and asked, "where are you?" RODRIGUEZ responded, "In my house." MARTE then informed RODRIGUEZ that he was there and RODRIGUEZ stated, "The door is open, come in" At this same time, TFA Fred Geiger observed MARTE exit THE NISSAN ROGUE and enter the residence at 18 Chester Street, Springfield, MA residence.

36. I believe, based upon my knowledge of the narcotics trafficking relationship between MARTE and RODRIGUEZ, these calls and the physical surveillance of MARTE that afternoon, MARTE informed RODRIGUEZ that their heroin sources of supply in New York (*i.e.* “they”) sent narcotics to MARTE, some of which was slated to go to RODRIGUEZ. I further believe that MARTE was telling RODRIGUEZ that he was in possession of the narcotics which belonged to RODRIGUEZ and delivered them to RODRIGUEZ’s 18 Chester Street, Springfield, MA home that afternoon.

***PENA Brings a Load of Heroin from New York to 97-99 Massachusetts Avenue where
MARTE Retrieves it and Brings it to 152 Lebanon Street***

37. On June 28, 2016, we intercepted numerous calls between MARTE, PENA and an unknown heroin source of supply utilizing New York telephone number 917-496-8175 (UM8175) in regards to MARTE sending PENA to New York to meet UM8175 for the purpose of picking up narcotics and bringing it back to Springfield, MA. We then established surveillance at 75 Tyler Street, Springfield, MA because we believed PENA would meet with MARTE prior to traveling to New York in order to obtain a quantity of money. Based on these calls, surveillance was established at 75 Tyler Street, Springfield, MA. At approximately 3:09pm, TFA Muldoon observed PENA knocking on the back door of 75 Tyler Street, Springfield, MA and entering the residence. At this time I observed a Volvo XC90 parked in the driveway at 75 Tyler Street. This vehicle has been identified by the SRO during this investigation being used by members in the MARTE organization to transport narcotics and currency.

38. At approximately 3:45pm, I observed PENA exit the front door of 75 Tyler Street, Springfield, MA, get into the Volvo, and leave the area. Surveillance agents observed PENA briefly stop at a gas station where he purchased gas and a beverage. PENA then left the gas station and was followed directly onto 91 South where surveillance was terminated.

39. Agents then intercepted several calls later that evening between MARTE, PENA and UM8175 arranging for PENA to meet with UM8175 in New York. Subsequent to their meeting, PENA telephoned MARTE and stated, "The key, you know where I leave it," and MARTE responded, "Over by Patty's." "Patty" is believed to be Anthony PATINO who is known to live at 97-99 Massachusetts Avenue, Springfield, MA and is a co-conspirator in the MARTE DTO. Based on a number of intercepted phone calls and surveillances, I believe that PENA frequently trips to New York in order to purchase heroin. I further believe that PENA has developed a pattern of, upon his return to Springfield, parking the vehicle behind 97-99 Massachusetts Avenue, Springfield, MA directly up against the house. I believe that, at the time PENA parks the vehicle, it contains the load of heroin he just transported. I further believe that PENA then leaves the keys in "Patty's" residence. I believe PENA parks in this location because the vehicle has a significant amount of narcotics hidden inside and, in that location, the vehicle is relatively out of sight and close to the residence. Furthermore, this area also has the additional security provided by a motion-activated light that illuminates the vehicle when it is approached. I further believe that MARTE retrieves the keys the following day and takes the narcotics to be further processed.

40. Therefore, when PENA told MARTE, "I am going to leave the key, you know where I will leave it for you," I believe that PENA was indicating that he was going to drive the Volvo XC90 back to Springfield and leave it for MARTE to pick up the following morning. I further believe that PENA described to MARTE that he leave the keys with PATINO. Based upon this call, surveillance of MARTE was initiated at 7:00am the following morning, June 29, 2016.

41. On June 29, 2016, while conducting surveillance at approximately 8:30am, I observed MARTE exit his 75 Tyler Street residence and leave the area in the Nissan Rogue.

MARTE was followed to a local gas station where he put gas in the car and then vacuumed the interior of it. MARTE was then observed leaving the gas station and was followed directly to 97-99 Massachusetts Avenue, Springfield, MA where he pulled to the rear of the residence. The driveway at this residence wraps around the rear of the house which makes it possible for vehicles to park behind the building where they are difficult to observe.

42. At approximately 9:02am, TFA Jesse McKnight observed a Ford Ranger pick-up arrive and drive down the driveway. Agents have previously observed PATINO driving this vehicle. I then drove by the residence and observed MARTE speaking with PATINO in the driveway of the residence. At approximately 9:15am, surveillance agents observed MARTE leaving 97-99 Massachusetts Avenue, Springfield, MA in THE NISSAN ROGUE and followed him directly to 152 Lebanon Street, Springfield, MA. Several minutes later, the Massachusetts State Police Airwing Unit observed the Volvo XC90 parked in the rear of 97-99 Massachusetts Avenue, Springfield, MA. Agents observed MARTE leave 152 Lebanon Street, Springfield, MA at approximately 9:47pm and then return to 75 Tyler Street, Springfield, MA.

43. Upon arrival at 75 Tyler Street, Springfield, MA, surveillance agents observed MARTE meeting Carlos RIVERA in a Mazda that was parked in front of the residence. MARTE remained in the vehicle for several minutes before exiting and entering 75 Tyler Street, Springfield, MA. Toll records show that, prior to this meeting, MARTE and RIVERA exchanged numerous text messages.² RIVERA left the area and was followed briefly before surveillance was terminated. At approximately 11:10am, we intercepted a call between MARTE and RIVERA in which

² At the time of this meeting, agents did not have authority to intercept electronic communications, therefore, agents relied upon toll records and the content of these messages is unknown.

RIVERA stated, "Damn, its good, Really good." MARTE then asked, "Did your friend look at it?" and RIVERA responded, "Yes, I'm coming from over there now."

44. RIVERA is known to test MARTE's heroin for him upon MARTE's receipt of a shipment. We have intercepted numerous calls during which MARTE inquired of RIVERA as to the quality of the heroin. Typically, RIVERA rates it as a number, between 1 and 10, although he did not do so in the call above. MARTE then typically reports RIVERA's findings back to his sources of supply and, depending on the reported quality of the heroin, keeps the heroin for distribution or returns it to his sources of supply.

45. I believe, based upon my knowledge of this investigation, the calls intercepted on June 28 and June 29, 2106 and our physical surveillance of MARTE, PENA, PATINO and RIVERA, that PENA traveled to New York to obtain heroin from UM8175 at MARTE's direction. I further believe that PENA then returned to Springfield and parked the transport car with the heroin in it, the Volvo XC90, behind 97-99 Massachusetts Avenue, Springfield, MA and left the keys with PATINO in the residence. I believe that MARTE travelled to 97-99 Massachusetts Avenue the following morning, obtained the keys for the Volvo XC90 from PATINO and then transported the heroin to the DTO stash/mill location at 152 Lebanon Street, Springfield, MA in the Nissan Rogue. I believe MARTE left the bulk of the heroin there and then brought a sample to RIVERA who was waiting in front of 75 Tyler Street, Springfield, MA. RIVERA then called MARTE approximately one hour later and reported that the heroin received was "Good, really good."

MARTE Retrieves the Proceeds of Illegal Narcotics Sales from DECLET at 895 Carew Street, Springfield, MA

46. On June 29, 2016 we intercepted a call between MARTE and Julien DECLET in which DECLET stated, "I have something here. I didn't want to do it through your boy because

someone told me something. A complaint.” After a brief discussion, MARTE and DECLET agreed to meet in the morning of June 30, 2016. On June 30, 2016, at approximately 5:45pm, DECLET called MARTE again and asked, “You going to stop by?” MARTE replied “Yes, soon.” Based on these calls, surveillance agents set up at AJ Buy and Sell, located at 895 Carew Street, Springfield, MA. When SA Smith arrived he observed a White BMW X5 parked in front of AJ Buy and Sell. Agents have observed DECLET driving this vehicle, which is registered to his girlfriend, on numerous occasions. At approximately 6:25pm, the Nissan Rogue approached AJ Buy and Sell, parked nearby, and MARTE exited and walked into the front door of the business. At approximately 6:50pm, MARTE exited the front door of 895 Carew Street, Springfield, MA with a younger male believed to be “Nano.” Both men got into THE NISSAN ROGUE and left the area. At 6:53pm, surveillance agents observed DECLET exit the front door of AJ Buy and Sell, cross the street and enter La Fortuna mini market. At 6:55pm, DECLET left the La Fortuna mini market and walked back into AJ Buy and Sell.

47. On that same date, at approximately 11:40pm, MARTE and DECLET spoke again over the telephone. In this call, MARTE asked DECLET, “How much you give me?” DECLET responded, “Seventy and seven-eight. One eighty.” MARTE then clarified, “Seventy and seven-eight. Four for the girl” and DECLET replied, “Yeah.” I believe this is a coded conversation addressing the amount of money MARTE picked up from DECLET at 895 Carew Street, Springfield, MA earlier that evening. I believe this conversation is indicative of the fact that DECLET is distributing narcotics and keeping monies generated from the sale of narcotics at 895 Carew Street, Springfield, MA and is using his cellular telephone to facilitate the DTO’s narcotics trafficking business while working at AJ Buy and Sell, 895 Carew Street, Springfield, MA.

48. On July 6, 2016, at approximately 6:30pm, the following call was intercepted in the English and Spanish languages (English is italicized). It is translated and transcribed below:

MARTE: Yo!

UM8933: How much for those dehumidifiers?

MARTE: Oh, yeah, the dehumidifiers [U/I].

[Long pause, music playing in the background].

MARTE: Sixty - two hundred (6,200). [Aside: [U/I], right?]

UM8933: Sixty - four hundred (6,400)?

MARTE: The 100R [PH] one is nice, nigga.

UM8933: Oh yeah? What is it? An LG?

MARTE: [U/I] a hundred dollars.

UM8933: Oh, yeah?

MARTE: [Aside: Do you have it? I got it.]

UM8933: Well that is the one I want.

MARTE: Well come and get it.

UM8933: I will get it tomorrow.

MARTE: Oh, well, alright. [U/I] [Voices overlap].

UM8933: Put it aside for me. That is the one that I am missing.

MARTE: Alright. One (1)?

UM8933: Yeah, one (1).

MARTE: Alright. [Aside: Seventy (70), seventy-five (75) you said?]

UM8933: Yeah at the bottom.

MARTE: It is still good.

UM8933: But is that the only one you have?

MARTE: Yeah, yeah.

UM8933: Okay. How does it look? Send me a picture of it. And put it to the side for me, send me a picture.

MARTE: Alright. [Voices overlap]

UM8933: Alright.

49. I believe the call above is indicative of a heroin customer calling MARTE in order to procure heroin. This individual has been intercepted in the past asking MARTE for “dehumidifiers” as well and it clear through the context of the call, and the fact that MARTE does not sell dehumidifiers, that this is a code this individual uses to cover up the true intent of conversation. When UM8933 asks MARTE, “How much for those dehumidifiers?” MARTE responds “6200” and then states that the “100R” is a good one. I believe that MARTE is telling UM8933 that he will sell him 100 grams of heroin for \$6200.00. At this price, MARTE would be charging UM8933 \$62.00 per gram for the heroin. MARTE and UM8933 then concluded their conversation and, as shown by toll records, exchanged four text messages within a short time of this conversation. At that time, we were not authorized to intercept electronic communications, however, I believe that these text messages contained communications that would lend further evidence of MARTE’s intention to sell UM8933 heroin on that date. I further believe, based upon the conversation and the text messages immediately thereafter, that MARTE sent UM8933 a photograph of the heroin he was looking to sell to him.

MARTE Coordinates a Sale of Heroin, which occurred at 895 Carew Street, from his residence, 75 Tyler Street

50. On July 13, 2016, agents intercepted several calls over MARTE’s cellular telephone arranging for a 140 pack heroin transaction involving Julien DECLET, Marcos PENA and William

BRANTLEY. These calls indicated that BRANTLEY would need what I believe to be heroin that same day and MARTE, PENA and DECLET discuss how they are going to conduct the transaction.

51. At approximately 3:26pm, MARTE called DECLET and discussed exchanging money at AJ Buy and Sell and then they (PENA and BRANTLEY) can do the other "thing" (the heroin transaction) like they did it last time. At approximately 3:40pm, PENA called MARTE and told MARTE to go to MARTE's house. Approximately 15 minutes later, TFO Muldoon observed the Volvo XC90 arrive at 75 Tyler Street, Springfield, MA and wait in the driveway. Moments later TFO Muldoon observed MARTE arrive in the Nissan Rogue. Both men then entered the residence. Approximately five minutes later, PENA exited the house carrying a bag which he put in the passenger seat of Volvo XC90, and left the area.

52. At approximately 4:52pm, MARTE received a call from DECLET and DECLET told MARTE that BRANTLEY would be at 895 Carew Street, Springfield, MA in several minutes. MARTE told DECLET to call MARTE back when BRANTLEY got there. MARTE further indicated that he would then send PENA to meet them.

53. At approximately 5:05pm, surveillance agents observed a gray Dodge pickup park on Newbury Street right next to AJ Buy and Sell. SA Clifford observed BRANTLEY exit the passenger side of the vehicle, carrying a book bag over his shoulder, enter the front door of AJ Buy and Sell and then close and lock the front door after he entered it. After approximately four to five minutes, BRANTLEY was observed exiting the front door of AJ Buy and Sell still holding the book bag around his shoulder and carrying a box in his right hand. BRANTLEY got back in the passenger side of the gray pickup and left the area.

54. At approximately 5:14pm, MARTE received an incoming call from DECLET and stated that BRANTLEY brought "50" and informed MARTE to bring just "50" and they would give BRANTLEY the rest tomorrow. DECLET also told MARTE that he gave BRANTLEY a "Kenwood" speaker box as a decoy so that when BRANTLEY met with PENA they could put the heroin in the box in order to make it look less suspicious. MARTE then called PENA and told PENA that BRANTLEY would be there soon and that the speaker box is for the "package." I believe that when MARTE referred to the "package" he was using a code word for heroin. At approximately 6:52pm, MARTE received another call from DECLET the men decided to lock the money up at the store (AJ Buy and Sell) in the safe and that they felt it was safe there because there is an alarm on the door.

55. Based upon the calls and surveillance detailed above, I believe DECLET orchestrated a narcotics transaction between BRANTLEY and MARTE and that MARTE had his PENA deliver the narcotics to BRANTLEY. I believe BRANTLEY brought \$50,000.00 to AJ Buy and Sell and left that money with DECLET who secured it in the store. I further believe PENA went to 75 Tyler Street, Springfield, MA to obtain the narcotics from MARTE which he later delivered to BRANTLEY.

56. On July 12 and July 13, 2016, agents intercepted several calls over MARTE's cellular telephone indicating that MARTE would be "returning" a quantity of narcotics to an unknown male utilizing telephone number 646-836-8391 (UM8391). Through these interceptions, we were able to determine that UM8391 was directing a second individual to travel from the Lawrence, MA area to meet with MARTE in order to pick up the narcotics.

57. On July 13, 1026, at approximately 9:00am, surveillance was established in the area 75 Tyler Street, Springfield, MA. Shortly thereafter, I observed MARTE enter THE NISSAN

ROGUE and depart the area. MARTE was followed directly to 152 Lebanon Street, Springfield, MA where TFA Muldoon observed him parking in the driveway of the residence. MARTE was later observed leaving the residence and traveling to the area of Armory and Carew Street where a male, who we later identified as "Nano," was observed entering the vehicle. "Nano" appeared to arrive on foot from the area of Armory Street. Based upon intercepted telephone calls he is believed to have come from either 11 Wait Street or 28 Governor Street, Springfield, MA.

58. At approximately 10:09am, MARTE received a telephone call from Pablo ROSARIO indicating that ROSARIO was at MARTE's residence. After receiving this telephone call, MARTE left the gas station and drove directly to 75 Tyler Street, Springfield MA, where a gold Toyota Camry, with New York license plates was parked in the driveway. MARTE then backed THE NISSAN ROGUE into the driveway so the vehicles were trunk to trunk. At this time, I observed ROSARIO exit the driver's side of the Camry and an unidentified female ("UF") exit the passenger side as MARTE exited THE NISSAN ROGUE. ROSARIO and MARTE then opened the trunks of their respective vehicles and ROSARIO retrieved a bag from the trunk of the Camry and placed it into the trunk of THE NISSAN ROGUE. MARTE, ROSARIO and the UF then entered THE NISSAN ROGUE with "Nano" and departed the area.

59. The Nissan Rogue was then followed directly to 152 Lebanon Street, Springfield, MA where TFA Muldoon observed it parking in the driveway. Approximately one minute later, I drove by the residence and the Rouge appeared to be unoccupied. Based upon the intercepted calls, my knowledge of the roles of "Nano" and ROSARIO and our observations that morning, I believe ROSARIO delivered a quantity of narcotics to 75 Tyler Street, Springfield, MA which was then transported to 152 Lebanon Street, Springfield, MA to be bagged for distribution. ROSARIO, "Nano" and "Morenito" are known to be the individuals responsible for bagging heroin for the

MARTE organization. Further, over the next 24 hours, there were several calls between MARTE and other DTO members referring to how much was “ready” (which I believe to mean how much heroin was bagged) because he had a customer (who I believe to be BRANTLEY) waiting for a large amount of bagged heroin.

Law Enforcement Officers Seize Two Kilograms of Heroin which MARTE was Attempting to Return to his Source

60. Beginning on July 12, 2016, we intercepted several calls between MARTE and an unidentified male indicating that the unidentified male had provided MARTE with a quantity of heroin with which MARTE was displeased. MARTE and this unidentified male agreed that the unidentified male would come get the heroin back from MARTE. Subsequent calls indicated that this unidentified male would be sending an individual from Lawrence, MA to pick up this heroin. MARTE later spoke several times with a male using telephone number 978-398-1908 (later identified as Francisco SANDOVAL) and agreed to meet with SANDOVAL the following day. On July 13, 2016, at approximately 12:15pm, agents intercepted a call between SANDOVAL and MARTE which indicated that SANDOVAL was in the area and ready to meet with MARTE. Shortly after intercepting this telephone call, TFA Muldoon observed THE NISSAN ROGUE leaving 152 Lebanon Street, Springfield, MA. THE NISSAN ROGUE was followed directly to 75 Tyler Street, Springfield, MA where I observed MARTE getting out of it and entering the residence.

61. Based upon the information learned in the intercepted telephone calls referenced above, SA McGrath was able to observe two men in a black Honda Passport park their vehicle behind the El Salvador Restaurant (231 Hancock Street, Springfield, MA) and enter the

restaurant. Shortly thereafter, I observed THE NISSAN ROGUE backing out of the **75 Tyler Street** residence and departing the area. I observed MARTE as the driver of the vehicle. THE NISSAN ROGUE was followed directly to the El Salvador Restaurant where it was observed pulling to the rear parking lot of the restaurant and parking beside the Honda Passport. Shortly thereafter, SA McGrath observed SANDOVAL exit the restaurant and enter into THE NISSAN ROGUE, which was still occupied by MARTE. SANDOVAL was in the vehicle for a short time before SA McGrath had to move his location due to traffic and lost sight of the men. Within a minute or so, MARTE was observed leaving the area in THE NISSAN ROGUE and SANDOVAL was observed re-entering the restaurant.

62. Surveillance of the restaurant was maintained and approximately 10 minutes later, I observed SANDOVAL and a male, later identified as Orlando LEON, walk from the direction of the restaurant, enter the Honda Passport and leave the area. The Passport was followed directly to the highway where it was observed getting on to the Massachusetts Turnpike east, via Interstate 291, and traveling eastbound. At approximately 3:00pm, Massachusetts State Trooper Matthew Topping executed a vehicle stop of the Passport at the interception of Rt. 93, as it traveled north on Rt. 495 in Andover, MA. During this stop, Trooper Topping seized approximately two kilograms of heroin and arrested SANDOVAL and LEON for Trafficking 200+ grams of a Class A Substance. SANDOVAL and LEON were transported to the North Andover Barracks of the MA State Police and booked according to the policies and procedures of that agency. Based upon the intercepted telephone calls, our physical surveillance and the seizure of two kilograms of heroin that evening, I believe MARTE "returned" those two kilograms to one of his heroin sources of supply and that SANDOVAL was the "runner" this source of supply sent to pick up the heroin. I further believe MARTE had the two kilograms of heroin stored in his **75**

Tyler Street, Springfield, MA residence and went to that residence to retrieve the heroin when he learned SANDOVAL was in town.

MARTE Coordinates a Sale of Heroin from 75 Tyler Street

63. On July 14, 2016, agents intercepted several calls between MARTE, DECLET and PENA in regards to BRANTLEY purchasing a large quantity of packaged heroin. Based upon these calls, agents established surveillance in the area of 75 Tyler St, Springfield, MA, 97-99 Massachusetts Avenue Springfield, MA, and 152 Lebanon Street, Springfield MA. At approximately 2:19pm, MARTE received a call from DECLET during which:

- a. DELCET stated that “Moreno” (BRANTLEY) was wondering how "shit" (heroin) was looking for that day;
- b. MARTE told DECLET that he was going to go over “there” and let DECLET know in 20 minutes;

64. At approximately 2:49pm, I observed MARTE exit 75 Tyler Street, Springfield, MA in THE NISSAN ROGUE. MARTE was followed directly to 152 Lebanon Street, Springfield, MA and parked in the driveway. At 4:26pm, MARTE, while still at 152 Lebanon Street, Springfield, MA, received a call from DECLET during which:

- a. MARTE told DECLET that he can only give 130 that day and 50 the following day because MARTE has to give 60 to someone else;
- b. MARTE stated he will call his “guy,” who does the delivery, in 10-15 minutes.

65. I believe that, during this call, when MARTE stated that “he can only give 130” that day and “50” the following day, that he was in fact stating that he could provide only 130

packs of heroin that day and 50 packs of heroin the following day. I further believe that when MARTE referred to his "guy," he was referring to PENA.

66. Two minutes later, MARTE called PENA and told PENA to "stop by here." PENA then asked "by the blonde or by Morenito?" MARTE responded "the second choice" (152 Lebanon Street, Springfield, MA). During the course of this investigation, I have learned "the blonde" is a code often used by members of this DTO to describe 75 Tyler Street, Springfield, MA because MARTE's wife, Dahlia DIAZ has blonde hair. I have also learned that "Morenito's" is commonly used to describe 152 Lebanon Street, Springfield, MA because "Morenito" lives at that residence. "Morenito" is responsible for the bagging/milling of heroin.

67. At approximately 4:29pm, MARTE spoke with DECLET and DECLET stated, "tell Fiera (PENA) to go to the store." I believe DECLET was referring to the store owned by BRANTLEY on State Street in Springfield, MA. MARTE then immediately called PENA and told him to go to "the blonde." At approximately 4:56 pm, TFA Ferris observed PENA arrive at 75 Tyler Street, Springfield, MA in a Volkswagen Toureg. I observed the Volkswagen Toureg and the Volvo XC90 parked behind 97 Massachusetts Avenue, Springfield, MA approximately one hour before. At 5:00pm, TFA Muldoon observed MARTE exit 152 Lebanon Street, Springfield, MA in the Nissan Rogue and it was followed to 75 Tyler Street, Springfield, MA.

68. I then observed MARTE exit THE NISSAN ROGUE, retrieve a black bag from the trunk and then walk to the passenger side of the Volkswagen Toureg with PENA in it. MARTE and PENA remained in the Volkswagen Toureg for approximately four to five minutes before MARTE exited with the same bag and entered 75 Tyler Street. PENA then pulled away at a high rate of speed and was lost in traffic shortly thereafter.

69. At approximately 5:12pm, MARTE and DECLET spoke again and MARTE told DECLET that PENA "came in the wrong car" and that "it didn't fit." I believe this to mean that the 130 packs of heroin did not fit inside the hidden compartment inside of the Volkswagen Toureg. I further believe that when MARTE and PENA were inside the Volkswagen Toureg for four to five minutes that they were trying to load the heroin into the trap. However, I believe that because the load would not fit, MARTE brought the heroin into 75 Tyler Street, Springfield, MA and PENA left in order to change vehicles. I believe PENA drove to 97-99 Massachusetts Avenue, Springfield, MA to obtain the Volvo XC90 from that location and left the Volkswagen Toureg at that location. Moments later PENA was observed arriving back at 75 Tyler Street, Springfield, MA in the Volvo XC90. PENA then entered 75 Tyler Street, where he remained for three to four minutes before exiting carrying the same black bag MARTE had earlier. PENA then put the bag into the passenger seat of the Volvo XC90 and walked around to the driver side and entered. PENA then remained stationary in the Volvo XC90 for approximately five minutes before exiting the driveway.

70. Surveillance agents followed PENA directly to BRANTLEY's store on State Street where Springfield Police Detective Edward Kalish observed PENA park behind the store. At 5:27pm, PENA called MARTE and told MARTE to call "Gordo" so that "Gordo" can call "him" and have the back door open for me. Based on what I have learned during the course of this investigation and intercepted phone calls, I believe that when PENA referred to "Gordo," he was referring to DECLET. I further believe that PENA was attempting to get a message to BRANTLEY to ensure that BRANTLEY would leave the back door of his store open so that PENA may enter less conspicuously.

71. MARTE then immediately called DECLET and told him to have BRANTLEY open the back door. Seconds later PENA was observed entering the back door of BRANTLEY's store. After approximately five to seven minutes, PENA was observed as he exited the store, entered the Volvo XC90 and left the area. Shortly thereafter BRANTLEY was observed as he exited the rear of the store and entered a dark colored Audi SUV. Agents tried to follow BRANTLEY, but due to his erratic driving behavior, agents were unable to do so.

72. At approximately 5:48 pm, MARTE made an outgoing call to PENA and asked PENA "Did you leave the thing?" PENA replied "Yes, you know." MARTE then responded "good" and the call ended. After unsuccessfully searching the area for the Audi, surveillance was terminated.

Members of the MARTE DTO travel to New York City and return with a load of Heroin

73. On September 9, 2016, at approximately 1:00pm, surveillance was established in the area of 89 Melba Street, Springfield, MA and 75 Tyler Street, Springfield, MA in anticipation of Pablo ROSARIO and Carlos RIVERA meeting with MARTE before traveling to New York for MARTE. Based on a call intercepted over MARTE's telephone (413-654-7871), which was intercepted while MARTE was known to be at 89 Melba Street, Springfield, MA, and dozens of calls and text messages intercepted over MARTE's 413-417-4120 telephone, I believe ROSARIO and RIVERA were bringing an unknown amount of US Currency to New York and picking up an unknown quantity of heroin to bring back to the Springfield area.

74. At approximately 2:29pm, TFA Ferris observed MARTE leaving 89 Melba Street, Springfield, MA on a motorcycle bearing Massachusetts motorcycle registration 1Y8506. MARTE was followed directly to 75 Tyler Street, Springfield, MA. At approximately

3:35pm, MARTE was seen at the end of his driveway on the motorcycle but did not leave the area. He then retreated back down the driveway and out of the sight of agents.

75. At approximately 4:00pm, TFA Ferris observed Dalia DIAZ arrive in her white Honda Accord and park in the driveway of the residence. At approximately 4:07pm, a gold Toyota Camry (NY HGR7153) arrived and parked in the driveway of 75 Tyler Street behind the white Accord. This is known to be the vehicle of Pablo ROSARIO. ROSARIO has been identified as a runner and mill worker in the MARTE DTO. Based on intercepted telephone calls, I believe that MARTE sent ROSARIO and Carlos RIVERA to New York in order to meet with "Rudy," (believed to be Rudy GOMEZ), a cocaine and heroin source of supply well known to investigators in New York. Within a short period of time, agents observed the Toyota Camry leaving the driveway and followed it from the area. TFA Muldoon observed the vehicle stop and park at the Hancock Market. TFA Muldoon then observed the operator enter the store. As the operator exited the store and re-entered the vehicle, TFA Muldoon was able to identify to him as ROSARIO. TFA Muldoon then observed ROSARIO put fuel in the Camry at the Citgo station on Hancock Street and leave the area. At this point, surveillance of ROSARIO was terminated. Numerous intercepted calls over the next several hours indicated that ROSARIO drove directly to New York to meet with "Rudy" and RIVERA, as was facilitated by MARTE.

76. Beginning at approximately 4:45pm on the same date, intercepted text messages indicated that Carlos RIVERA was en route to MARTE's 75 Tyler Street, Springfield, MA residence. At approximately 5:00pm, agents observed a brown Nissan Pathfinder (MA 2MS751) arrive and park in the driveway of the residence. An RMV check of this vehicle showed that it is registered to Carmen CALDERON of 12 Cole Street, Springfield, MA. CALDERON is known to be the wife or girlfriend of RIVERA. RIVERA is known to live at 12 Cole Street, Springfield,

MA. After this vehicle parked in the driveway, TFA Muldoon drove past the residence and was able to identify Carlos RIVERA exiting the driver seat of the Pathfinder. TFA Muldoon advised agents that RIVERA was wearing a white tee shirt with blue wind pants. Approximately 10 minutes later, agents observed RIVERA backing out of the driveway in the Pathfinder and parking it on the street. Over the next several minutes the vehicles in the driveway were shuffled around in order for the Nissan Rogue to exit the driveway. When the Nissan Rogue pulled onto the street, RIVERA was seen exiting the Nissan Rogue, retrieving an item from the Pathfinder and then re-entering the Nissan Rogue and leaving the area. Surveillance of RIVERA was then terminated. Intercepted calls over the next several hours indicated that RIVERA drove directly to New York in order to meet with ROSARIO and "Rudy."

77. As the Nissan Rogue left the area, Agents observed MARTE and, a male believed to be Juan PEREZ, leave 75 Tyler Street in the white Honda Accord. The accord was followed directly to 89 Shamrock Street, Springfield, MA where it remained for several minutes. Approximately five minutes later, the Accord was observed leaving the area and driving directly to 152 Lebanon Street, Springfield, MA where TFA Muldoon observed MARTE and PEREZ getting out of the vehicle and walking toward the residence. Based upon intercepted calls over the MARTE telephones, I believe MARTE and PEREZ were going to 152 Lebanon Street, Springfield, MA in order to bag/mill heroin for the MARTE DTO.

78. I believe, based upon intercepted calls and our physical surveillance of MARTE, that MARTE brought U.S. Currency from 89 Melba Street, Springfield, MA to 75 Tyler Street, Springfield, MA in order to give to ROSARIO so that ROSARIO could make a payment to GOMEZ for heroin. I further believe, based upon intercepted calls and surveillance, MARTE sent RIVERA to New York shortly thereafter so that RIVERA could transport the heroin purchased

back to Massachusetts for resale. Based upon my knowledge of this investigation and MARTE's methods of operation, I know that MARTE typically sends two vehicles to New York in order to conduct these transactions, typically keeping the money separated from the narcotics. I know, through my training and experience, that this practice is common among high level traffickers in order to reduce the risk of losing both the currency and narcotics should they be robbed or stopped by law enforcement.

79. On September 9, 2016, agents monitoring the interceptions of MARTE's cellular telephones also began intercepting calls and text messages indicating that William BRANTLEY was arranging to purchase 250 to 300 packs of heroin from MARTE through Julien DECLET. BRANTLEY is known to be a heroin distributor in the Springfield, MA area and this investigation has shown he is a large scale heroin customer of DECLET and MARTE.

MARTE sells a quantity of heroin to BRANTLEY at 895 Carew Street

80. On September 11, 2016, intercepted calls over the MARTE cellular telephone indicated that the three men would be meeting at AJ Buy and Sell that afternoon in order for BRANTLEY to purchase heroin from MARTE and DECLET. I initiated surveillance in the area of Dad's Variety Store on State Street in Springfield, MA in anticipation of the meeting. At approximately 3:35pm, I observed BRANTLEY, wearing a yellow shirt, pull into the rear parking lot of Dad's Variety Store in a black Honda Accord (MA Reg. 3XB236) and park. BRANTLEY remained in the lot for several minutes before a red pick-up truck arrived and parked alongside BRANTLEY's vehicle. I was not able to observe the license plate of the pick-up. Approximately five minutes later, both vehicles left the lot and went in different directions.

81. I followed BRANTLEY's vehicle for a short time before terminating surveillance in order to remain undetected. I then drove directly to AJ Buy and Sell at 895 Carew Street,

Springfield, MA. Upon arriving in the area of AJ Buy and Sell, I observed BRANTLEY's Honda parked on Newbury Street adjacent to the building. BRANTLEY was not in the vehicle. I then observed Julien DECLET's gray Honda Accord (MA Reg. 2SVY70) parked in front of the building on Carew Street. At this time, steel security grates, which cover the windows of the business, were all pulled down except for one covering the front door of the business.

82. At approximately 4:10pm, I observed MARTE arrive in a 2011 Buick Acadia, and park in front of BRANTLEY's Accord on Newbury Street. MARTE then got out of the Buick Acadia and went to the passenger side of the vehicle. MARTE was wearing a white T-Shirt, blue jeans and white sneakers. MARTE opened the passenger door of the Buick Acadia and manipulated something within the vehicle for about one minute before closing the door and walking from the vehicle with a black duffle bag, which had white writing on the side, in his left hand. I then observed MARTE walk to the front door of AJ Buy and Sell, open the door with a key and enter.

83. At approximately 4:18pm, I observed BRANTLEY exit the front door of AJ Buy and Sell wearing a yellow T-Shirt and black jeans. BRANTLEY was holding a large duffel bag over his right shoulder as he walked to the Honda Accord. I then observed BRANTLEY open the driver's door of the Accord, put the bag inside and enter the car. At this time, I also observed MARTE and DECLET exit the front door of AJ Buy and Sell. MARTE was carrying the same black bag as when he entered however, at this time, the shape of the bag appeared different than it was when I first observed it. DECLET then locked the front door and pulled down the steel grate. MARTE walked to the Buick Acadia and entered with the black bag as DECLET walked to his own vehicle and entered. Both men then left the area in their respective vehicles.

84. I followed BRANTLEY directly to the Racing Mart gas station at the intersection of St. James Street and Albany Street where I observed him walk into the store. Approximately four minutes later, I observed BRANTLEY leave the Racing Mart in the Accord. I then followed BRANTLEY toward State Street where I lost him briefly in traffic. I then drove directly to 195/197 Verge Street, Springfield, MA (the known residence of BRANTLEY) and observed the Honda Accord in the driveway. At this time, I also observed that the storm door on the side of the residence was open. I then terminated surveillance.

85. Based upon the calls intercepted on the MARTE telephones, the past intercepted calls and surveillances of MARTE, PENA and DECLET I believe that MARTE delivered 200 packs (20,000 bags/dosage units) of heroin to DECLET and BRANTLEY that afternoon at 895 Carew Street, Springfield, MA and collected \$50,000.00 from BARNTLEY from a past heroin debt. I believe BRANTLEY then drove the heroin to 195/197 Verge Street, Springfield, MA to be distributed among his customers.

86. On September 11, 2016, agents also intercepted a call between Jiovanni RODRIGUEZ and MARTE. In this call, MARTE greeted RODRIGUEZ by saying, "I'm at Mom's." After confirming that MARTE was at the residence of MARTE's mother (89 Melba Street, Springfield, MA), RODRIGUEZ stated, "Should I stop by there to give you Flaco's U/I?"³ After MARTE confirmed that RODRIGUEZ should bring "Flaco's U/I" to MARTE's mother's house, RODRIGUEZ stated, "Those 20 pesos" and later adds, "So I get rid of that, I will go there then." Based upon this intercepted call and what I have learned during this investigation, I believe that RODRIGUEZ asked MARTE if MARTE wants RODRIGUEZ to bring \$20,000.00 to

³ "U/I" indicates that the interception was not clear and, therefore, that portion of the conversation was not understandable.

MARTE's mother's house (89 Melba Street, Springfield, MA) because RODRIGUEZ wants 'to get rid of it,' meaning he does not want to be responsible for it. I further believe, based upon this call that MARTE arranged for this transaction to take place while he was present at 89 Melba Street, Springfield, MA.

87. On September 15, 2016, at approximately 5:54pm, MARTE was intercepted as he spoke to Jiovanni RODRIGUEZ and arranged to meet later that evening. At approximately 8:07pm, MARTE called RODRIGUEZ again and RODRIGUEZ informed MARTE that he was home and was eating. MARTE then asked RODRIGUEZ if RODRIGUEZ wanted the "30 pesos." RODRIGUEZ replied "Yes" and stated he already has "25 pesos" of the same. I believe MARTE asked RODRIGUEZ if he wanted 30 packs of heroin and RODRIGUEZ replied yes and told MARTE that he still had 25 packs of heroin remaining. RODRIGUEZ then told MARTE that he had "70 pesos," (of the another brand/type of heroin) and MARTE agreed to be there (18 Chester Street, Springfield, MA) in a half hour. At this time, surveillance units were dispatched to 152 Lebanon Street, and 18 Chester Street, Springfield, MA.

88. At approximately 8:14pm, MARTE called "Morenito" and told "Morenito" he was on his way over to get "Papin's stuff" (heroin) and the "30" for RODRIGUEZ. MARTE then told "Morenito" that "Papin's stuff" is in the suitcase, the mattresses, and behind the stove. I believe that, by making these statements, MARTE in fact informed "Morenito" where the heroin belonging to Mirelvy VASQUEZ ("Papin") was hidden in the house (152 Lebanon Street, Springfield, MA). MARTE ended the call by telling "Morenito" to hurry because he was close by.

89. At approximately 8:16pm, MARTE called VASQUEZ and told VASQUEZ he would be there in ten minutes. VASQUEZ is known to live at 97-99 Massachusetts Avenue, Springfield, MA. MARTE and VASQUEZ then spoke again one minute later and discussed how

much MARTE was bringing and how much money VASQUEZ owed to MARTE. At approximately 8:24pm, MARTE called VASQUEZ and told him he was there and VASQUEZ told MARTE to knock on the door because VASQUEZ was getting the money ready. At approximately 9:30pm, I observed MARTE, in the Nissan Rogue, turn off of Massachusetts Avenue onto King Street.

90. At approximately 9:36pm, SA Smith observed MARTE pull into the driveway of 18 Chester Street, Springfield, MA. Approximately one minute later, we intercepted MARTE calling RODRIGUEZ. During this call, MARTE told RODRIGUEZ that he was in the driveway. At approximately 10:10pm, Group Supervisor (GS) Daniel Pomeroy observed a gray sedan with Massachusetts registration plates leave 18 Chester Street, Springfield, MA. At that time, GS Pomeroy could not observe the driver. A query on the registry database showed this vehicle belonged to Luis Rodriguez. Luis Rodriguez is known to be a family member of Giovanni RODRIGUEZ. This vehicle was later observed parked directly across the street of MARTE's house at 75 Tyler Street, Springfield, MA.

91. Intercepted calls over the next several days indicated that RODRIGUEZ and MARTE observed what they described as "an agent" in the area of 18 Chester Street, Springfield, MA that evening. MARTE described the incident to "Morneito" in a telephone call and explained that he left the car, the money and the "stuff" (heroin) at RODRIGUEZ's house that night and took RODRIGUEZ's car home to avoid any chances that law enforcement agents were watching him or RODRIGUEZ who could catch them with narcotics. MARTE also stated in a separate conversation that he brought "Papin" (VASQUEZ) "200" that evening. I believe MARTE was referring to bringing VASQUEZ 200 packs (20,000 bags/dosage units) of heroin to VASQUEZ's 97-99 Massachusetts Avenue, Springfield, MA residence.

MARTE travels to New York in THE NISSAN ROGUE, purchases heroin, and returns to 75 Tyler Street

92. On September 21, 2016, we began intercepting calls over MARTE's telephones which indicated that MARTE would be traveling to New York with Carlos Rivera and "Nano" in order to pay a past drug debt to a New York-based heroin source of supply, to meet with a second source of supply for the purpose of purchasing heroin and to pick up his Buick Acadia an auto repair business that we believe installs hidden compartments in vehicles. This individual has been identified as another of MARTE's New York-based heroin sources of supply. Intercepted calls also indicated MARTE was attempting to collect money from his customers and co-conspirators to pay his sources of supply.

93. At approximately 12:45pm, TFA Muldoon and I observed RIVERA arrive his Nissan Pathfinder and park on the street in front of 75 Tyler Street, Springfield, MA. Over the next 30 minutes, RIVERA, MARTE and Pablo ROSARIO were observed entering, exiting and moving vehicles around the Tyler Street residence. At approximately 1:17pm, RIVERA and MARTE were observed leaving the area in THE NISSAN ROGUE and ROSARIO left in a Honda Odyssey. ROSARIO was followed directly to 152 Lebanon Street, Springfield, MA where he parked in the driveway. At this point, surveillance of ROSARIO was terminated. Intercepted calls over the next several hours indicated that ROSARIO was bagging heroin at that location.

94. The Nissan Rogue was then monitored via the GPS attached to the vehicle and followed by surveillance agents at a distance at which agents would not be visible. According to the GPS tracker, the Nissan Rogue stopped briefly at 18 Chester Street, Springfield, MA (Jiovanni RODRIGUEZ's residence) and then continued to 89 Shamrock Street, Springfield, MA where it stopped for several minutes. This is known to be the residence of Jose MARTE, believed to be a family member of Alberto MARTE. TFA Muldoon and I then observed Alberto MARTE walk

from the residence, enter the passenger side of the Nissan Rogue and leave the area. the Nissan Rogue was then followed, via GPS, directly to an auto parts store on Liberty Street in Springfield, MA where it stopped briefly. Agents were not able to see if its occupants met with anyone.

95. TFA Muldoon and I then observed the Nissan Rogue leave the auto parts store and drive directly to 11 Wait Street, Springfield, MA and parking in the driveway. At this point, RAC Benson observed "Nano" putting a large bag or blanket into the rear of the Nissan Rogue. Shortly thereafter, the vehicle was observed leaving the area. the Nissan Rogue was then observed stopping at a gas station where TFA Muldoon and I observed Juan PEREZ putting gas in the vehicle. TFA Muldoon and I then observed the vehicle leave the gas station and proceed immediately to Rt. 291 West. We were then able to observe, via the attached GPS device, that the Nissan Rogue drove to New York.

96. Based upon the intercepted calls and our observations during physical surveillance, I believe MARTE was picking up U.S. currency from the 18 Chester Street, 89 Shamrock Street and 11 Wait Street in order to pay his sources of supply in New York and to procure more heroin for distribution in Massachusetts.

97. Over the next several hours, intercepted calls over the MARTE telephones indicated that MARTE was arranging to meet with at least two individuals who, based on past intercepted calls, I believe to be heroin sources of supply to the MARTE DTO. At approximately 7:31pm, MARTE telephoned Carlos RIVERA and asked RIVERA, in substance, if RIVERA had made it out of the city safely. RIVERA replied that he had. At 8:00pm, MARTE received a call from a customer who wanted to purchase heroin and MARTE told the customer that he would be home around 10:00pm. At approximately 8:38pm, MARTE spoke with another unidentified male who appeared to be in the Dominican Republic. This male told MARTE that "Nolan" had a "gift"

for MARTE in New York and that MARTE would not regret taking it. MARTE then informed this male, the MARTE "bought 10 gifts there" and later said, "That's why I was here, seeing the people."

98. Based upon the intercepted calls and our earlier surveillance of MARTE, I believe MARTE, "Nano," PEREZ and RIVERA delivered a substantial amount of money to sources of supply in New York and that MARTE then received heroin which RIVERA transported back to Western Massachusetts. Based upon these calls, surveillance was established in the area of 75 Tyler Street, Springfield, MA.

99. At approximately 9:30pm, the Nissan Rogue arrived at 75 Tyler Street, Springfield, MA and RIVERA was observed parking the vehicle. RIVERA and a person believed to be Dalia DIAZ then moved an unknown item around in the vehicle before RIVERA walked across the street and left in his Nissan Pathfinder. RIVERA was followed briefly as he headed east on State Street toward his residence and surveillance was terminated.

100. At approximately 10:40pm, the Buick Acadia arrived and parked on the street in front of the residence. At this point, TFA Muldoon and I observed MARTE, "Nano" and PEREZ exit the vehicle and walk toward the residence. Shortly thereafter, TFA Muldoon and I observed the men backing the Nissan Rogue, MARTE's Honda Accord and MARTE's Toyota onto the street. The men then pulled the vehicles back into the driveway in the reverse order, essentially burying the Nissan Rogue behind two vehicles in the driveway so that the other two vehicles were between the Nissan Rogue and the road. PEREZ and "Nano" then walked back across the street and left the area in the Buick Acadia.

101. Agents then followed the Buick Acadia directly to the area of 109 Clantoy Street, Springfield, MA where it was observed parking across the street from the residence. I then

observed PEREZ get out of the vehicle and stand on the driver's side of the vehicle for several minutes. After approximately seven to eight minutes, I observed "Nano" walk across the street holding a white plastic bag in each hand. "Nano" walked toward the house and out of my sight. I then observed PEREZ walk across the street with one plastic bag in his hand. PEREZ stopped briefly in the street and appeared to lock the Buick Acadia, as the lights flashed, then walked toward the residence and out of my sight.

102. Approximately 15 minutes later, I observed a light colored sedan (later identified as a white Toyota Camry) back from the driveway of 109 Clantoy Street. The vehicle then stopped in the middle of the street and remained several minutes before I observed the lights of Buick Acadia come on. The operator of the Buick Acadia then parked in the driveway of 109 Clantoy Street, Springfield, MA and I observed someone entering the sedan in the street and then the sedan left the area. As it passed me I could observe it was a white Toyota Camry, MA Reg. 792LT5. This vehicle is known to be registered to Bryant ARIAS, 13 Wait Street, Apt. 2, Springfield, MA.

103. The Honda Accord drove directly to 11 Wait Street, Springfield, MA where TFA Muldoon observed "Nano," PEREZ and Bryant ARIAS exit the vehicle and meet with a female believed to be Dioskaira MARTE. At this point, surveillance was terminated.

104. Based upon our observations that evening, I believe the MARTE DTO received a significant amount of heroin and it was transported in the Nissan Rogue and the Buick Acadia from New York to Western, MA. I believe that upon arriving home, MARTE, PEREZ and "Nano" moved the Nissan Rogue deep into MARTE's driveway and blocked it in with two vehicles so that there was no chance the vehicle could be stolen. I believe PEREZ and "Nano" then took a portion of the narcotics in the Buick Acadia to 109 Clantoy Street, Springfield, MA and brought it into the residence in the plastic bags.

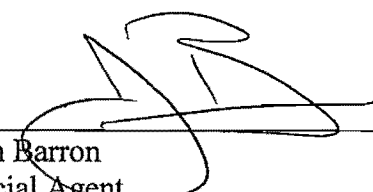
105. Based on this investigation, I applied for and was granted search warrants for several locations which we executed on September 22, 2016. Agents located the Nissan Rogue where they observed it parked the evening before. Agents conducted a search pursuant to the search warrant and located a hidden compartment inside the Rogue. Inside of this compartment, agents discovered at least three kilograms of a substance that, based on their training and experience, they believe to be heroin.

106. Agents also conducted a search pursuant to a warrant at 152 Lebanon Street. As they entered the residence, agents found Eduardo FERNANDEZ inside the apartment in close proximity to a large amount of heroin that was in various stages of packaging for retail-level distribution. Agents observed that the apparent sole purpose of the 152 Lebanon Street was that of a heroin mill as it contained virtually no furnishings other than several cots in the living area. Agents also observed several hidden locations which were used to secret heroin.

107. While executing the search warrant at 99 Massachusetts Avenue, agents came across members of the MARTE DTO inside, specifically Marcos PENA and Anthony PATINO. During the search of that residence, Agents identified a bedroom and bathroom that belonged to Anyuly TAVAREZ. Inside that bathroom, agents discovered approximately two to three ounces of heroin with a scale under the sink. Based on my training and experience, I do not believe this heroin was packaged or intended for personal use. Furthermore, TAVAREZ has been intercepted during calls with MARTE discussing the packaging of heroin.

Conclusion

108. Based upon the foregoing, I submit that there is probable cause to believe that the above-named individuals and others have conspired to distribute and possess with intent to distribute more than three kilograms of heroin.



John Barron
Special Agent
Drug Enforcement Administration

Subscribed and sworn to before me on September 22, 2016



KATHERINE A. ROBERTSON
UNITED STATES MAGISTRATE JUDGE